"GARY KNEW OF POOLS"--COREY

Attended Meetings Where They Were Talked Over. Witness Tells Probers.

HE CONTRADICTS GARY

Latter Told Stanley Committee He Ordered Them Stopped.

OPPOSED BUYING T. C. & I.

Only Yielded at "Panie" Meeting in J. P. Morgan's Office-Why He Got Out.

William Ellis Corey, former president the hearing of the Government suit to attorneys vastly and the rest appar- ping up. ently satisfied the attorneys for the cor- T. C. & I. Competed Only in Rails.

In that part which seemed satisfactory to ex-Secretary of War Jacob M. Tennessee company as a competitor. Dickinson and Henry E. Colton, the special deputy Attorney-Generals, Mr. Corey testified that E. H. Gary did finitesimal. the existence of the pools in self had testified before the at when he heard for the first time ead given orders that they be broken

Corey said the Judge not only of the pools but had attended the in the years 1902 and 1903.

s an officer because in a differwith Judge Gary as to the powers ident and the powers of the an of the board the finance ttee had sustained Judge Gary, there had been complaints, supplemented the mention in the the witness's three days tesof a number of incidents in price former Carnegie "young had found himself fighting Judge and Henry C. Frick, Mr. Car-

Fell Out With Judge Gary. Corey admitted that when he got

Steel Corporation as presi-

als sentiments toward Judge Gary not so cordial as they had been much higher with the Tennessee how Judge Gary knew all about those He testified that he had opposed the asked Mr. Severance. ise of the Tennessee Coal and unpany even up to the meeting likely to make the resolution unani- cut down the cost of rails for several reasons. In this con-on Mr. Corey, after saying that the

beginning with its foundation was worth \$259 a share. 1991 and ending with his resignation had doubled, and when trouble in the market. oft his executive position the Steel Mr. Corey was at the famous meet-

hearing had so interested the finan- with them. persons crowded in the room who phone service in nearby offices.

Rumor Quickly Squelched.

Before the session opened at 11 o'clock was much gossip about the room dency, what was the condition of the as to the effect of the testimony and early there came the rumor that as result of it the United States Stee thoration was about to take steps to solve voluntarily. Later there came was the answer. emphatic and authoritative denial of about but the question if, by his competition?" nkness, Mr. Corey had given himself anaged to even up a few old scores other form. certain individuals who had atned his business scalp to their tepes Others thought that Corey, the st of the Carnegle young men to stick,

threw himself into the chair yesterday morning with the same cool, alert deanswer questions, but not to volunteer which doubled their capacity."

nation with some inquiries as to Mr. the witness. orey's rise in the steel trade, from the me he was the superintendent of the cago?" iomestead works down to the time he became president of the big combina- erected during this period. It was of Mr. Severance indicated that he large capacity and on the lake shore with Judge Gary when time to wind up wanted to show that Mr. Corey was a near Chicago." chnical man rather than an executive! acquainted with pools and the like.

United States Steel Company you de- the Sharon the percentage of the output voted your attention mainly to increas- of the United States Steel Corporation ence of the pools?" ing the efficiency of the plants?" began was less when you left it than when it Mr. Severance softly.

Yes," answered the witness, "in general you might cay that; but I gaye

attention to many branches of the bust- sumption of steel in the United States present since Charles M. Schwab, then

"When did you first know of the donestic steel rail pool?" "I cannot say."

Was a "Hold Over" Pool.

Carnegie Steel Company? "No, I found the pool in effect when

became president.

ment about it?"
"Not that I know of." "When was it broken up?"

Mr. Corey said in the latter part of not remember. And from the time it was broken up

there was no agreement between the rall reply manufacturers to increase, maintain or reduce prices?" re was not"

"And did not railmakers of the country at times want to raise prices and the corporation refuse?"

"I heard suggestions to that effect," replied the witness,

There was some general testimony that prices for rails abroad at times; higher than in the United States, but Mr. Corey was unable to comment on a price scale read by Mr. Severance. There was more testimony about the international rail understanding.

While the Government uses the term 'agreement" in all association and comcination conferences, Mr. Corey always creets the word to "understanding." of the United States Steel Corporation, Mr. Severance seems to favor the latter term. Judge Dickinson smiles blandly at the corrections and goes on his way. The International agreement or undisselve the corporation divided his tes- derstanding had little attention and Mr. umony so that about three-fourths of Severance turned to the Tennessee Coal it seemed to please the Government's and Iron absorption, which keeps crop-

"Outside of steel rails did the United States Steel Corporation consider the asked the lawyer.

"It did not," was the answer. He added that its other business was in-

The witness then said that when the the various branches of the steel in- proposition to sell the Tennessee com- pool and at once ordered that all pools to 1994, although Judge pany came up first he went to Birmingham and other Southern points to ininvestigating committee in 1911 spect the property. The investigating committee in 1911 report to the finance committee, in spect the property. He made a verbal which he said that it would require n 1904 of the existence of the pools he \$25,000,000, \$5,000,000 a year for five years, to bring the plant up to date. He were to wipe out all pools, combinawould be a dividend paying property.

The open hearth steel rail mills were meetings of the steel rail pool, the all in good condition, but the other mills ural steel pool and the steel plate were antiquated and needed new buildings. There was talk about the 179,000 ey also testified that he got ten rail order given by the Harriman United States Steel Corpora-roads a short time before this, and Mr. Severance wanted to know if that had not been the cause of many complaints that many of the rails had to be replaced. The witness understood to t

> "Was not the cost of the Tennessee "I do not know," was the answer; "I

know it was high." Mr. Corey was asked whether the cost was \$30 a ton. He did not know, but a was certain that there was very little "Judge Gary Knew All the Time." profit for the Tennessee company in the transaction.

"If the cost of production was so ence?"

did you figure it as a competitor?" pools all the time," answered Mr. Cores "I regarded it as a competitor and "You mean of course only the stee to continue as one," was the re- rail pool which he discovered in 1901

library of J. P. Morgan in the ply, "because they were then complet- and then broke up?" came quickly from days of 1907, but he had con- ing mills which would have materially the lawyer.

Mr. Corey after saying that the was cereatly said by John W. Gates earlier tain Mr. Gates had never made a posible had coined the bad coined the said by John W. Gates had never made a posible had coined the said by John W. Gates had never made a posible had coined the said by John W. Gates had never made a posible had coined the said by John W. Gates had never made a posible had coined the said by John W. Gates had never made a posible had coined the said by John W. Gates had never made a posible had coined the said by John W. Gates earlier tain Mr. Gates had never made a posible had coined the said he had coined tive offer of the Tennessee Coal and slight joit. That was entirely new to expression "nulsance price" to charac-fron Company to the United States them.

Steel. He had talked over the value "Now, Mr. Corey," began the lawyer.

provident, when he had "special \$200 a share too much," testified Mr. he attended." "competition had flourished Corey. At this point Corey referred to

green bay tree"; the capacities the "nuisance value" of the Tennessee e plants of leading independents Coal and Iron Company as a combeen doubled, the demand for iron petitor, which meant its ability to make

Corporation was producing and selling ing in the library of J. P. Morgan in meetings." a smaller percentage of the total out- the panic days of 1907 when it was than it was when it began business, decided to take over the United States witness was then turned over for Steel if President Roosevelt would perthat cross-examination to an attor- mit it. The finance committee, Lewis some time during the years of 1902 or he Hill interests, who had not Cass Ledyard, Mr. Morgan and Grant 1903." shed Corey's statement that he had B. Schley were also present. It was cosed the Hill ore leases because they represented that if something were not done Moore and Schley would fail and swer. Mr. Corey's frankness in testifying at several trust companies would go down

the dark. If ventilated little room in objections to the purchase as he had Faul Building, where Commis- theretofore, but he had finally concurred ings?" Theory P. Brown is taking testi- to make the resolution unanimous and ony, made the place look like some. Messrs, Gary and Frick had underof a financial centre. A great taken their famous visit to Washington.

There was some little talk about the neither steel men, attorneys or re- "Pittsburg base" as the price for steel riers, and some of them appeared to all over the country when the afternoon we made arrangements for quick tele- session began and then Mr. Severance

"Mr. Corey, from 1901, the time of the organization of the corporation. down to the time you left the presicompetition with the corporation?"

Says Competition Flourished.

"It flourished like a green bay tree," "Did the creation of the United States and then there was nothing to gos- Steel Corporation restrict or increase

There was no answer to this and all around immunity bath or had Mr. Severance put his question in an-

"Did competition increase or diminish up to the time you left?" "Increased," was the answer.

"Had you general knowledge of the putting the facts up to the men increase in the capacities of the plants responsible for them for the sake of the of your competitors?" Mr. Corey smilthe support of the man who put ingly said he had a general knowledge. "How about Jones & Laughlin?" re-

Whatever Mr. Corey's motives he ferring to a large independent company, "Jones & Laughlin in this period increased their tonnage and effectiveness, canor he had shown on previous days. was the reply. "They erected a sheet He spoke decisively and was willing to tin plate and wire plant at Allequippa "How about Lackawanna Steel?"

"They erected a new plant at Bufcorporation, began the cross-exam- falo which doubled their capacity," said

"The Inland Steel Company of Chi-"That was an entirely new plant

"Isn't it a fact that even with the of some Ohio bridge men?" acquisition of the Tennessee Coal and "Yes. We had many conversations." When you became president of the Iron Company plant and the Union and

started?" "It was a fact," was the answer.

doubled in the first ten years of the president of the company, was there. present century, steel came into more general use and rails increased in occasion.
weight. Personally he was in favor of "Did Judge Gary ever go to a meetprice was right. When the Hill ore present?" "Was it after you became president of leases were taken up again he said the price was too high.

Gary Negotlated With Hill.

"Oh, a holdover," said Mr. Sever-had conducted the negotiations with lames J. Hill and that was settled. Mr. Severance then went after the Gary dinners.

"There were no agreements made as 904 or the early part of 1905, he did to prices at those dinners?" asked the lawyer.

"Not to my knowledge," was the "As a matter of fact you were always

most careful about these matters and and Mr. Severance said it was. eminent counsel?" said Mr. Severance. "I thought we were most careful," was the answer.

Mr. Corey then described what was done at the meetings.

"When you attended a meeting of a branch of the industry you would ge up and make a speech in which you any personal differences." would announce the prices at which th l'nited States Steel Corporation would

Mr. Corey nedded slowly. "Other manufacturers would get up and make a speech saying what price they thought right?"

Again a nod. "Why sometimes after all these speeches had been made and the meeting had adjourned, competitors would go out and name different prices?" volunteered the lawyer. Mr. Corey did not remember any in-

"But such a thing had come to your (nowledge?"

Pools Ended in 1904.

The plate pool and all the other poo which were the forerunners of the dinunderstandings ended sometime in y advice of counsel. Before the Staney committee Judge Gary testified that be ended, he never having known of them before.

"Who gave instructions for the ending of these pools?" "Judge Gary and myself."

Mr. Corey added that the instructions tions, agreements and understandings f whatsoever nature.

"Those instructions were sent to th presidents of the subsidiary compa-"They were. I think I sent a circular letter to all of them giving that in-

"You assumed that your instructions were followed?"

"Then the understanding or relations with your competitors subsequently company's rails higher than the current were conducted or arranged under advice of counsel'

Mr. Corey nodded and then Mr. Severance put a question which caused lawyer in the room to every straighten up.

"In reference to these pools action for breaking them up was taken so soon John W. Gates's Idea of T. C. & I. as Judge Gary discovered their exist-

calmly

"I do not mean anything of the sort Mr. Severance then turned to the ac- I mean all of them, as I said." Mr. Severance leaned over the table, appar-

Mr. Corey declared emphatically that of the property with him. Corey, and somewhat more emphatically than beag the existence of the Steel Corothers, and always said the company fore, 'I want you to tell me one pool ment with her and she sent an attorIt was declared that the company as worth \$250 a share.
"I always told him this was about meeting attended by Judge Gary with ney, telling the lawyer, it was testi-proposes to continue the litigation and,

> Mr. Corey answered after some deliberation

"I remember now two meetings he attended when I was present speifically, the plate and the structural "What was the date of those meet-

ngs?" "I cannot recall exactly, but it was

"Give the date." "I cannot recall," was the cool an-

I was explained that one meeting ollowed the other on the same day and with the same men in attendance. "Who were present at those meet-

Mr. Corey could not recall every body, but thought that Messrs, Felton, King, Schwab, himself and Judge Gary were present

"This was before you came to New York to be president? "Yes," the witness answered: "I came on from Pittsburg for the purpose."

Sure Gary Attended. "Do you feel sure that Judge Gary at-

ended those meetings?" demanded Mr. Severance. "I do or I would not say so," returned

the witness with a show of irritation. "Both?" Yes, both." "Where was it held?"

"At the Walderf, in a parlor." "Did they fix a price at those meet "I cannot now recall whether a price

was fixed. I know it was discussed." "And Judge Gary was there?" "He was," answered Mr. Corey grimly. Mr. Corey could not remember w

"What other meetings do you remember Judge Gary attending?" was the question. The witness thought sometime and his lips moved as if he were going over the full list of pools. At las

presided.

he answered. "I cannot recall specifically any other meetings. I think Judge Gary did go to other meetings but I cannot say posi-

Mr. Severance wanted the witness then to limit his testimony about the chairman of the board to the three meetings, the rail, the plate and the structural committees. Mr. Corey said he was willing to do that, "Don't you remember a conversation

these pools came about an indictment

The witness grinned, and answered did was to attend a National League (Yes."

Mr. Severance wanted to know why tests on the diamond, is not that the two weeks she had been at the state of "Yes." Mr. Corey said further that the con- it was necessary for the Judge to be name?"

Mr. Corey did not recall the particular

buying any and all ore beds when the ing when you were president and "Yes," was the reply, "the rail meet-

> Mr. Severance leaned a little further ver the table. "Mr. Corey," he began, "toward the latter part of your administration you were not at all times in perfect accord with Judge Gary?

> "I do not care to answer that question," said the witness. There was a little argument, in which Mr. Severance disavowed any intention of asking embarrassing questions,

but he wanted an answer. "Is it necessary?" asked Mr. Corey nothing without the advice of ever, he would change the form of it. "When you severed your connection with the company you had some feel-

ing against Judge Gary?" "We were not always in accord on matters of policy," was the deliberate inswer, "but I do not know that there was any personal feeling between us,

Not So Priendly With Gary,

"As a matter of fact, now, you were not as friendly as you had been on former occasions?"

"No," was the reply, "we were not as cordial as we had been on former occasions." "You had some differences with the chairman of the board on the subject of authority?

"As a matter of fact, you both finally corporation." appealed to the finance committee to ecide the authority vested in each of

"Yes," was the answer; "we had

differences," emphasizing the

"Yes." was the answer. "And the finance committee decided against you

ome

matter was left there while Mr. Kellogg, representing the Hill ere leases, went to get Mr. Corey to admit that he had een wrong in saying that the royalties in the lease were priced too high. Corey said the royalties been more than 50 cents a ton, while the leases, which were managed by Messrs. Gary and

period of years which made some of high as \$1.50 a ton. Mr. Kellogg got from the witness that the Walker ore lease on adjacent and contiguous ore property were made 50 cents a ton. He read of higher

eases, but the witness would not alter or any of the attorneys would reveal n detail the cause of the differences be-

ween Judge Gary and Mr. Corey. The hearing goes on Monday morning en Mr. Corey will continue to tes-

JURYMEN SEE TESTS OF THE DICTAGRAPH

Detectives Demonstrate Device in Trial of Extortion Case Against Fortune Teller.

yesterday to prove to a jury before view of this record and this advice the di Judge Malone in General Sessions court at one could really hear through it The case on trial was against Mrs. Fannie Dio, a fortune teller of 190 East Third street, who is accused by Dr.

It was testified that the woman had caused letters to be sent to the doctor terest. threatening to "get him into trouble" if and Elbert H. Gary, committee of the he did not pay. He made an appoint- board of directors.) the exception of the steel rail pool which fied, that she had a civil claim against as concerns Mr. Corey, it was pointed the doctor. Before the lawyer came a out that he was not present at the

the hearing end. brought the machine into play was Mr. Corey, it was said, has not at

called to tell about So George Read, a dictagraph expert, conclusive, settled the transmitter back of the Judge's chair and put the receiver in MOVIES TRUST HEARING FEB. 5 another room. Detective Lustig went into another room and Read took the

witness stand. "This dictagraph is properly adjusted," he began, "and you can hear what I am saying. Now come into court and tell what you heard." Lustig did not come and a court at tendant was sent out to bring him in.

"What did you hear?" asked Assistant District Attorney Bostwick. "Nothing," answered Lustig "Did you turn on the switch?" asked

Lusting admitted that he had forgoten to and was sent back again.

n." sald Read. Lustig was back in court in a minute and testified that he had heard. Then to test it the other way the receiver, with double earpieces, was put been closed. o the cars of Lustig and Castleton and Read went to the other room with the

"Raise your left hands," he said, and ip went the detectives' hands. "Now your right," came the and the other hands were raised. Read then swore that he had given e directions which the detectives fol-

l'andlich's office. COUNT VON BERNSTORFF A FAN ays Baseball, Full of Action, I

owed. The two detectives will tell the

ury to-day what they heard in Dr.

Characteristic of Americans. NEW HAVEN, Jan. 24.-Count von Bernstorff, the German Ambassador to the United States, discussed American baseball last night before the New Haven Chamber of Commerce. "Just as cricket with its slow goin

play is characteristic of the English

people, so I think baseball, the great American sport, is characteristic of the American people, with its swift plays, ts throbbing action and its superabundant vitality." said the Count. "I saw my first game of baseball in Berlin," he said. "The students of an American medical college played with he members of the American colony there, and it was a most interesting and "Don't you remember Judge Gary ex- mystifying game to me, who saw it pressed surprise to learn of the exist-ence of the pools?" for the first time. When I came to this country one of the first things I

STEEL TRUST WILL FIGHT ON, SAYS GARY

Will Not Seek Voluntary Dissolution, or Ask Court's Direction, He Adds.

J. P. MORGAN, JR., AFFIRMS

Step Never Considered, He Declares-Corey's Evidence Not Regarded as Conclusive.

Judge E. H. Gary and other directors

company had no intention of devising the signatures and it is alleged that he denials were made after it had been widely bruited about the street that the as attorney for Schepps, then had the testimony of William Ellis Corey, former president of the company, had Heymann's defence was that he believed impelled the officers or directors to make terms with the administration. "There is no foundation whatever to

the published statement that the Steel Corporation is going to seek voluntary dissolution and that it will apply to the Supreme Court for directions how to go about it," said Judge Gary. "The question has not been up to consideration of the board of directors or the finance committee or the officers of the

J. P. Morgan, Jr., said that the matter of voluntary dissolution was not now considered, had not been considered since any of the Supreme Court decisions or other Governmental proceedings of the past two years, or for that matter, since the organization of the

Three other directors said that if the matter of voluntary dissolution was under consideration they had not heard of it and attention was called to the statement given out by the company at the time the Government suit was brought, issued for the avowed purpose "of setting at rest all rumors to the effect that the directors are con-Frick, provided a sliding scale over a templating any voluntary dissolution or disintegration of the corporation or Pursuant to the unanimous vote of the

ard of directors of the United States Pierpont Morgan, H. C. Frick, Norman Ream, P. A. B. Widener, Robert Wind

No negotiations whatever have taken place between the Steel Corporation and the Department of Justice looking to the dissolution or disintegration of the cor-The corporation was organized ened during the day with a pall of business reasons and purchased its ious plants to promote such business and not to restrain trade or obtain a monopoly. In all its operations the com-pany has scruppolusly observed the law and recognized the just rights of its competitors and the consumers of its products So far as its directors are aware

plaint has ever been made against it by either of these interests. The directors are advised by counse hat its existence is not in violation of he Sherman act as interpreted in the rerectors feel that their duty to their stock-holders, their employees and the public requires that they should set at rest all rumors to the effect that they are contem-plating any voluntary dissolution or disin-tegration by legal action. We believe that the organization is legal, that its manvalue and that the corporation is of benefit to the public in-(Signed by J. Pierpont Morgar

dictagraph had been placed in the room meeting of the directors at which it was the duty of the laid before the Commissioner of Corticle Room in the laid before the Room in the Room in the laid before the Room in the Room directors to set at rest all rumors of The question before the court which voluntary dissolution or disintegration. whether or not the detectives could tended many meetings of the board have heard through the dictagraph the of directors since his retirement from conversation which they were to be the presidency and the active directors no means consider his testimony

seventy More Witnesses to

Heard in Suit to Dissolve. The hearings in the Government's suit to dissolve the "movies" trust have cause Edwin P. Grosvenor, conducting the case for the Government, has to go died eight months ago. to Detroit for another case. About seventy witnesses are yet to be ex-

amined. William H. Swanson, secretary of he had not lived up to the provisions of the Unversal Film Company, and Will- the will. lam Pelzer, treasurer of the General Film Company, were examined yes-

terday. Mr. Grosvenor asked Mr. Pelzer if the business of the General Film Company had been profitable, especially in 1912. Mr. Pelzer said that the books had not operation by a derrick when a wagon hi

"Can't you tell whether the business was profitable or unprofitable?" asked Mr. Grosvenor. "I believe it has been profitable." was

the answer. The witness refused to tell what salary the president got, on the ground that Dwight Macdonald was a representative of the Kinematograph Company and wanted to get the answer on

GAS KILLS AGED WATCHMAN. arkin Had Been on Duty at City

Hall for 24 Years. John Larkin, 80 years old, for twenty four years a night watchman at the City Hall, was accidentally killed by gas last light at 363 West Fighteenth street made his home with Mr. and Mrs. James

Mrs. Donahue smelled gas at 5 o'clock and going to Larkin's room found him sitting dead in a chair. He was in his paia-mas. Apparently he had stepped against the gas heater tube while getting ready to dress for his night's work. Larkin was formerly a park policeman. Later he joined the regular force. Twentyfive years ago he was retired and a little later became a City Hall watchman. He was a widower.

Emma Carus in a Hospital. CHICAGO, Jan. 24.- Friends of Emma CHARGES AGAINST LAWYERS.

Referees to Hear Cases of H. M Heymann and C. N. Simpkins.

Charges brought by the grievance ommittee of the Bar Association gainst Henry M. Heymann of 116 Nassau street and Charles N. Simp-kins of 27 William street, lawyers, were referred by the Appellate Division of he Supreme Court yesterday to official referees to take testimony. The charge against Heymann is the second that has been made, the first charge being under consideration by ex-Justice John J. Freedman.

The new charge is that on April 19, 1911, a judgment was filed in favor of Louis Abel and against the National Reserve Bank for \$2,295 and costs. Abel assigned the judgment to his attorney, Martin M. Dolphin, and John Schepps. It is alleged that Heymann induced Abel and Schepps to sign a cancellation the United States Steel Corporation of the assignment on which Dolphin's declared in the most positive terms name was signed by Abel "as attorne; yesterday, that the managers of the in fact." Heymann as notary witnessed a plan for its voluntary dissolution. The had knowledge that Abel had no right to sign for Dolphin. Heymann, acting assignment discharged and cancelled. Abel had authority to sign for Dolphin The charge against Simpkins is that

in 1903 Clara M. Clinton brought supplementary proceedings against Charles W. White, against whom she had ob tained a judgment, and Simpkins conducted the examination. that Simpkins then settled the judg ment without authority and the judgment creditor refused to accept the amount paid. When White demanded the money back from Simpkins it was refused. The lawyer's defence is that he has a lien against the money for his fees and as soon as the lien has been adjusted he will pay the balance to any person designated by the court William Voxman, who was suspended from practice for a year, was reinstated full power over railroad matters in New vesterday upon affidavits that he has England. The letter to the Governors been in the fur business during his suspension.

FLEE FROM MEXICAN VOLCANO.

Refugees Pouring Into Gundalajas -Ernption Continues. GUADALAJARA, Mexico, Jan. 24. Refu-

gees from the territory around Mount Colima volcano continue to arrive here in large numbers. Hundreds of panic such dissolution or disintegration by stricken inhabitants of towns, farms and ranches have also fled to Manza nillo and other places outside of what is considered the danger zone. Showers of ashes continue falling at

intervals, covering a wide scope of country. The deep barraneas leading from the sides of the mountain are Dryden. Samuel Mather. Daniel almost full of ashes, and through some G. Reid, Henry Walters, James A. Far-iell and James H. Reed, the following statement is published:

Of these outlets big streams of lava are pouring.

Loud earth rumblings, accompanied Loud earth rumblings, accompanied the fire and lava outbursts of the vol-

GRAND JURY PROTESTS TO GOFF.

pline Wright or Better Tombs. The Grand Jury that on December returned a presentment to Justice loff charging abuses in managemen n the Tombs and recommending the lismissal of Deputy Commissioner of forrection William J. Wright, yester-

day complained to Justice Goff that no action has followed its recommenda-tions. The new presentment says: "We are informed that a certified red to the Mayor and to the Governor In view of the fact that, so far as the Grand Jury has been able to learn, no action has been taken by either of the officials who received a copy of said presentment relative to the dismissa dependent investigation of his conduct. or of the condition of the City Prison

rection and the present Governor this State." The original presentment found that Charles H. Hyde and William Cummins had obtained unfair and unwarranted comforts in the Tombs, that the prison was crowded and that a lack of hos pital accommodations allowed prisoner suffering from "loathsome contagiou

diseases" to mingle with their fellows. CITY JOTTINGS.

A man is now in the Tombs for the lack been adjourned until February 5 be-cause Edwin P. Grosvenor, conducting the rectory of St. Patrick's Cathedral, with nephew \$15,000 on the condition Probation Officer Fitzgerald told Magis-trate Freschi when the man was arraigned vesterday in the Tombs court that so far

> A verdict for \$1,500 for the loss of a eye was awarded yesterday before Su-preme Court Justice Dugro to Edward Baltz against Joseph W. and John Wilson who employed him. Baltz was being hoisted on a block of stone in a building the guy tope and knocked him ground, causing his injury. Louis Julien, a sailor, who was once employed on one of the Vanderbilt yachts was sentenced by Judge Hand in the

eight years in the Federal penitentiary at Atlanta for counterfeiting. Julien was arrested in a Rose street tenement while engaged in moulding 50 cent pieces. the record. Mr. Macdonald said he al-ready knew. The question remained unanswered.

Appellate Division yesterday gave judg-ment for the city in suits against the Ninth Avenue Railroad Company and the Broadway and Seventh avenue line in sums of \$72.591 and \$83.784 respectively The city began the suits in 1896 to compel the railroads to pay their share of the

United States District Court yesterday to

Postmaster Voorbles of Brooklyn terday reported that in the month of De cember 1.104 new accounts had been opened in the postal savings bank, with \$94.867 in deposits. There are now a total of 11.294 accounts there, with \$721,282 in deposits.

cost of street paving along their lines.

Safe blowers forced an entrance early yesterday into the drug store of Henry W. Feeser at 666 Grand street. Williamsand stole \$547 in cash and jewelr prescription counter before blowing it open.

ONLY ONE "Bromo Quinine," that is Laxative Bromo Quinine
Cures a Cold in One Day, Grip in 2 Days 5 2 Lange St. MATTHEW'S CHURCH. St. Judge, Rector. Services 8 and 11 A. M.; 8 P. M.

ST. STEPPERN'S, 122-128 West 60th St. Sev.

ST. STEPPERN'S, 122-128 West 60th St. Sev.

Atlantic City WEEK-END OUTINGS

From NEW YORK, JERSEY CITY. NEWARK and ELIZABETH EVERY SATURDAY

February 1 to March 15, inclusive

\$10 to \$13 According to hotel accommodations Fickets cover round-trip transportation, good for six months, and hotel expenses, begin-ning with dinner on Saturday night and ending after luncheon on following Monday.

Pennsylvania R. R.

FOSS UNFOLDS PLAN TO BOSS RAILROADS

sort of United States of New England for Regulating Transportation.

Boston, Jan. 24.-Gov. Foss of Massachusetts has sent to the Governors of the five other New England States a letter in regard to to-morrow's conference in this city relative to the railroad situation in this part of the country. He favors the establishment of a transportation commission which shall have

says: It seems to me that until we have settled our transportation problem we cannot feel sure of our future devel-England have this overshadowing question in com-mon, and with the suggestion has been repeatedly made that we might make greater progress toward its solution by more coopera England States. cooperation between the New

When we see the limitations upon the powers of our State commissions acting separately in such fundamental matters as the corporate powers of our rallroad lines, we see the common in-terest we of New England have in regulating our situation as a whole, and in the decision against us on the mat-ter of our differentials we see our common danger of being ignored in national councils.

To the extent that New England nat-

urally stands apart from the rest of the country we must inevitably stand to-gether. Our trade routes have been established without regard to State established without regard to State borders, and they are therefore beyond the power of any one State. Our railcano, which occur at intervals of every few minutes. The sky is dark-ened during the day with a pall of smoke that is constantly emitted from the common policy. We now have a single railroad system practically dominating the common practically dominating the common policy. all of the railroad trackage in New upon the apex and sides of the moun- | England England.

In dealing with this railroad system the different States, acting separately, are obviously at serious disadvantage, if we could confront this aggregated system with our united power we could impose our own terms upon our rail-roads and work out our own future in our own way. My suggestion would

he that we might and a way to es-tablish a permanent heard with the power of all our States behind it. Could we not constitute the six chairmen of the commissions having over transportation in these States as a New England transportation commis-The fundamental difficulty in the present situation is that we have one railroad system covering all New Eng. land, which we are attempting to regulate by six separate commissions. With a New England commission thus organized we should have a combined commission to deal with this consolidated system. Such a board thus constituted could insist upon thorough-toing reforms in our transportation agencies and an immense addition to our transportation facilities.

be said that the orders of It may this New England transportation mission cannot be given the force of law, but this commission would prove to be a very formidable board to deal with. No corporation would dare to disregard instructions from a body made up of the executive heads of the State commissions, and the recommen-dations of such a heard ought to insure identical legislation in the various

RELIGIOUS NOTICES. FIFTH AVE. PRESBYTERIAN CHURCH REV. J. H. JOWETT, M. A., D. D.

Morning service at 11 o'clock."
All sittings free at 11 o'clock.
Afternoon service at 430.
All sittings free at 425.
The Mid week service will be held in the Chapel on Wednesday evening at 845, and will be conducted by Dr. Jowett. Christian Science Churches Sundays, 11 A. M. and 8 P. M. Wednesdays, 8 P. M. First Church, Central Park West and 98th St. Second Church, Central Park West and 68th St. Third Church, 125th Street and Madison Ave. Fourth Church, 600 West 181st Street. Fifth Church, Madison Avenue and 38th Street. Sixth Church, Park Avenue and 61st Street.

FIFTH AVENUE BAPTIST CHURCH REV. CORNELIUS WOELFKIN, D.D. PASTOR.

9:00 A. M., Bible School Session.

Young Women's Class: Mrs. Merrett, Leader.

Young Men's Class: Dr. Addison Moore, Leader.

11 A. M. & S.P. M. Public Worship.

SERMONS BY DR. WOELFKIN Central Presbyterian Church

St. Chomas's Church Rev. First Av. AND 33D ST. Rev. Frnest M. Stires, D. D. Recter, A. M. Holy Communica, Morning Service and Sermon (Recte

11-Morning

Evensong and Address (Rector). MEMORIAL BAPTIST, Washington Square, Edward Judson, pastor, will preach 11, "Faith Under Strain"; Fear Not, Only Belleve, Mark 526, 8, "Mercy", Bleassed Are the Merciful, Matt., 5:7.

Trinity Parish, Chapel of the Intercession, B'way & lasth St. Rev. M. H. Gates, D. D., Vicar, 8, 848, 948, 1020; 11. Rev. Mr. Tinker, Supt. City Mission Society, will preach, 4, 8, "Turk and Christian," by Herant M. Kiretchilan. CHRIST CHURCH, Broadway & 71st Street. Rev. G. A. STRONG, Rector. A.A. M., 11 A. M., Rector; & P. M., Rev. Stanley Brown-Serman.

GRACE CHURCH, Broad way and 16th St. Dr. SLATTERY, Rector, 8: 11 (Rector). 4 (Rev. Mr. Groton); 8 (Rev. Mr. Edwards).

ST. MATTHEW'S CHURCH. 84th st., near Central Park West. Rev. Arthur H. Judge, Rec-tor. Services 8 and 11 A. M.; 8 P. M.

WEST 57TH ST. NEAR BROADWAY.
Rev. WILTON MERLE-SMITH, D. D., Pastor,
preaches at 11 A. M.
Rev. JAMES B. COCHRAN at 8 P. M.
Evening Subject, "Abounding IAfe."
9.45 A. M.—Young Men's Bible Study Club,
3 P. M. Sabbath School.
Devotional Service Wednesday at 8 P. M.
ALL WELCOME.